## FILED

## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

DEC 14 2004 CLERK'S OFFICE U.S. DISTRICT COURT EASTERN MICHIGAN

JEREMY RATLIFF (#247927),

Plaintiff,

Docket No. 03 cv 60015

٧.

HON. MARIANNE O. BATTANI

MDOC, ANTHONY SIMMONS, et al.

MAG. JUDGE SCHEER

Defendants,

Christopher J. Trainor McCall & Trainor Attorney for Plaintiff 6557 Highland Road, Ste. 105 Waterford, MI 48327 (248) 886-8650 John L. Thurber (P44989) Assistant Attorney General Attorney for Defendants PO Box 30217 Lansing, MI 48909 (517) 335-7021

## ORDER

IT IS ORDERED AND ADJUDGED in accordance with the hearing conducted by the Court on November 23, 2004, the Defendant shall pay the Plaintiff \$3,000 in costs, plus prejudgment interest from January 15, 2003 through November 5, 2004. Prejudgment interest shall be calculated pursuant to 28 U.S.C. § 1961(a). The Defendant shall not be liable for any attorney's fees.

**DEC** 1 4 2004

Dated:

Marianne O. Battani

United States District Judge